

## BOARD OF SELECTMEN

Minutes of the Meeting of 23 March 2006 at 4:00 PM. The meeting took place in the Large Group Instruction Room, Nantucket High School, 10 Surfside Road, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Glowacki and Whiting Willauer. Bruce Watts was not present. Chairman Glowacki called the meeting to order at 4:00 PM.

Chairman Glowacki noted that the agenda would proceed as written with the consent of the Board and reviewed the meeting protocols.

### Citizen/Departmental Requests

1. Request for Transfer of Taxi License. Attorney David Lawler presented the case in support of the transfer of the license held by his client John Grangrade, noting the Board's responsibility and authority, the unique attributes of A-1 Taxi in meeting the service needs for those without automobiles. The Board asked questions on the referenced regulations. Patrick Nolan, a taxi waiting list applicant, spoke against "breaking the rules." Speaking in favor of the transfer was John Rivera, Carrie McGruder and others who praised A-1 for its services. Others then spoke in opposition. Chairman Glowacki welcomed proponents to speak and Mr. Lawler made further comments. Discussion followed on the tradition of the waiting list and the Board consented to carry this matter forward in order to hear the second agenda item.

2. Police Department: Request for Revocation of Taxicab License. Chairman Glowacki noted the procedural guidelines to be followed. Town Counsel Paul DeRensis swore in Police Chief William Pittman who gave a brief overview of his findings and provided supporting information on the licensing issue. He reviewed the claims that Lisa Fisher has assumed control of Mr. Grangrade's taxi business. He referenced anecdotal and actual evidence, noting evidence of two separate entities and the transfer of two cabs from John Grangrade to A-1 Taxi Inc in 2005 contrary to regulations. Chief Pittman spoke to the existence of articles of incorporation creating a legal entity in Ms. Fisher's name, transfer of cabs to that entity, plus a March 12, 2005 power of attorney written by Mr. Grangrade granting Ms. Fisher rights and control over the business. Chief Pittman called on Attorney Steve Cohen to speak and Mr. Lawler noted an objection due to the attorney's representation of the Nantucket Taxi Association. Mr. Cohen was sworn in and pointed out a minor code violation and then spoke to the issue of control. Mr. DeRensis swore in Town Clerk Catherine Stover who spoke on the power of attorney issue in the matter of the vehicle transfer. Chief Pittman provided summary remarks.

Attorney Lawler again stated his objection to Attorney Cohen's participation and asked questions of Chief Pittman, including the approval of the Town Clerk of various licenses that name both an individual and a company. He asked for any further reason for belief that an assignment has occurred, to which Chief Pittman referenced the March 12, 2005 letter from ms. Fisher's attorney, Thomas Vawter on the POA matter.

Mr. DeRensis swore in Mr. Grangrade who answered questions from Mr. Lawler, including the reason for the POA and relationship of manager, noting he owns and controls A-1 Taxi. Chief Pittman asked questions about the registration name change to the corporation, which Mr. Grangrade stated was for liability reasons. Mr. Grangrade stated he has full control of the company and made the distinction that he is trying to "transfer the license" and "sell the business." Mr. Grangrade spoke to his 25 years in business and stated that he had "done no wrong."

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Objection by Mr. Lawler was noted, but Chief Pittman called Mr. Grangrade for questions on A-1 Taxi Inc and stock reference. Mr. Lawler asked who owns the licenses and Mr. Grangrade answered that he himself does. Mr. Lawler gave closing statements, noting the distinction between the license owner and the manager as separate entities and adding that "no licenses were assigned, Ms. Fisher only maintained the business and there is no evidence of assignment as Ms. Fisher was always openly working for Mr. Grangrade. Chief Pittman gave closing remarks, clarifying the established points and his finding that the transfer of vehicles occurred without the required Board approval.

Mr Chadwick moved to close the matters and take them under advisement. Mr. Willauer seconded. Discussion followed on the timing of the final decision. Mr. Bennett requested an amendment to indicate that action would be taken by June 30, 2006. So voted unanimously. Chief Pittman stated that the license holder was given a reprieve until the public hearing for pending violations and noted the Police Department will not enforce any action in this interim period before the Board makes its decision.

The meeting adjourned at 7:19 PM.

Approved the 12<sup>th</sup> day of April 2006.